

REMARKS

A. Status of the Claims

Claims 1-18 and 35 were examined and rejected. Claims 1 and 10 have been amended, and claims 5, 6, 14, 15 and 35 have been canceled, for the reasons set forth below. No claims have been added. No further search is required.

B. The Claims Are Enabled

The Office rejects claims 1-18 and 35 for lack of enablement. In order to expedite prosecution, Applicants have amended independent claim 1 to recite that it now concerns protein sequences. The Office has indicated that a claim of such scope is enabled. *See* July 6, 2005 Final Office Action at page 4 section B (“The specification **only** enables identification of evolutionarily conserved amino acid positions within a protein/polypeptide.”), at page 4 section C (“The Examiner maintains that the **specification** is not enabled for **any** polymer, rather only biological polymers, more particularly, protein/polypeptide.”), and page 4 section D (“The method is enabled for a protein or polypeptide”). Applicants submit that no further search is required due to this amendment because the scope of amended claim 1 is commensurate with the scope of original claim 5, which has been canceled along with claim 6. Applicants reserve the right to pursue claims of a different scope from amended claim 1 in a continuing application.

Claim 10 has been amended in the same fashion as claim 1 and for the same reason (*i.e.*, because the Office has indicated that the method of claim 10 is enabled with respect to protein sequences). Applicants submit that no further search is required due to this amendment because the scope of amended claim 10 is commensurate with the scope of original claim 14, which has been canceled along with claim 15. Applicants reserve the right to pursue claims of a different scope from amended claim 10 in a continuing application.

Claim 35 has been canceled to expedite prosecution and without prejudice to pursuing it in a continuing application, which Applicants reserve the right to do.

C. Conclusion

Claims 1-4, 6-13 and 16-18 are in condition for allowance. Should Examiner Clow have any questions, comments, or suggestions relating to this application, she is invited to contact Applicants' attorney at (512) 536-3031.

Respectfully submitted,



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